

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
40015630-003Total Pages in this Submission  
113

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

NOVEL SUBSTITUTED BENZIMIDAZOLE DOSAGE FORMS AND METHOD OF USING SAME

and invented by:

Jeffrey O. Phillips

jc584 U.S. PTO  
09/481207  
01/11/00If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/183,422

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 08/680,376

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

## Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 97 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal      b. ☒ Informal      Number of Sheets 2 (in triplicate)
4. ☒ Oath or Declaration
- a. ☒ Newly executed (original or copy)      ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & documents)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class      ☒ Express Mail (Specify Label No.): EM 004 538 648 US

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## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1
17. ☒ Additional Enclosures (please identify below):

Certificate of Express Mailing (1 page)

## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	22	- 20 =	2	x \$9.00	\$18.00
Indep. Claims	8	- 3 =	5	x \$39.00	\$195.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$345.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$558.00

- ☒ A check in the amount of **\$558.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-3140** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **January 11, 2000**

  
Signature

Joseph A. Mahoney, Reg. No. 38, 956  
SONNENSCHN, NATH & ROSENTHAL  
8000 Sears Tower  
233 South Wacker Drive  
Chicago, IL 60606-6404  
(312) 876-3119 telephone  
(312) 876-7934 facsimile

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jeffrey O. Phillips

SERIAL NO.:

FILING DATE: Herewith

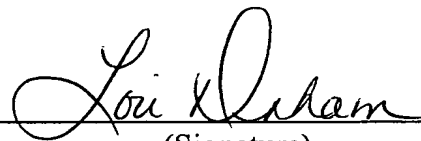
TITLE: NOVEL SUBSTITUTED BENZIMIDAZOLE DOSAGE FORMS  
AND METHOD OF USING SAME

Assist. Commissioner for Patents  
BOX PATENT APP. - FEES  
Washington, D.C. 20231

**CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10**

I hereby certify that the attached UTILITY (CIP) PATENT APPLICATION, DRAWINGS, DECLARATION, VERIFIED STATEMENT AND ASSOCIATED FEES, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Mailing Label No. EM 004 538 648 US on the date indicated below and is addressed to the Assist. Commissioner of Patents, BOX PATENT APP - FEES, Washington, D.C. 20231.

Lori Dunham  
(Person Signing Certificate)

  
(Signature)

January 11, 2000  
(Date of Signature)

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